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CENTRAL INTELLIGENCE AGENCY REGULATION

NUMBER

THE PRINCIPLES GOVERNING THE EXERCISE AND DELEGATION OF AUTHORITY

A. Source of Authorities

- (1) The normal sources of authorities are as follows:
 - (a) Authorities granted by statute.
 - (b) Authorities granted by Agency regulation.
 - (c) Authorities redelegated by officials having redelegable authorities.

B. Types of Delegations

- (1) There are three general types of delegations of authority:
 - (a) Authorities vested in a position to be exercised by any incumbent and which remain with the position without regard to the tenure of the incumbent.
 - (b) Authorities delegated to an individual to be exercised by him so long as he is holding a particular position.
 - (c) Authorities delegated to an individual by name without regard to or mention of his position.

C. Limitations on Delegation

- (1) Authorities granted by statute may only be delegated in accordance with the terms of the statute.
- (2) Authorities granted by regulation may only be delegated by the authority in whom resides the power to make regulations in the first instance.
- (3) Delegated authorities may only be redelegated when specific authorization for redelegation is granted.
- (4) Any delegation of authority should prescribe any limitations placed on the exercise of the authority.

D. Principles of Delegation

- (1) Delegations of authority for the normal fulfillment of functional responsibilities should always be vested in an organizational position.
- (2) Authorities requiring the specialized knowledge or judgment of an individual should be delegated by specific written directive as in B.(1)(b) and (c) above and are not redelegable unless so specified.

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- (3) Delegations not set forth in Agency Regulation should be formalized in writing, be signed by the official having authority to delegate or redelegate and should be distributed to all units or individuals who will be expected to act thereon.

E. Evidences of the Exercise of Authority

- (1) All staff and operational officials must evidence the exercise of their authority through the issuance of proper authorizing documents to all units and individuals who are expected to act thereon.
- (2) Any formal action taken by an official shall be evidenced in writing over his full identifiable signature and title appropriate to the authority being exercised.
- (3) All persons performing acts requiring specific formal authorization should ensure that their authority to so act is properly evidenced in writing.
- (4) The mere recitation that an action was done by a subordinate official "by direction" of the Chief is not evidence that the Chief exercised the judgment or action required of him and such an action cannot be accepted.
- (a) Oral or telephonic assurance by a subordinate that approval or certification has been granted by the Chief or principal authorized to act cannot be accepted.
- (b) Oral or telephonic approval by a Chief or principal authorized to act may be accepted in cases of emergency and must subsequently be supported by properly executed written documents.
- (c) Individuals acting on oral or telephonic certification or approval should prepare a memorandum for the record setting forth all pertinent details of the conversation as interim authority and should ensure that formal written authorization is received.

F. Actions by Designees

- (1) Where regulations grant a special authority to a principal "or his designee", the authority may be exercised by such a designee only if he has been formally designated for this purpose.
- (a) The official must set forth in writing the specific authority delegated to the designee and prescribe any limitations placed on the exercise of the authority so delegated.

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- (b) Copies of such delegations should be distributed to all individuals who will be required to accept or act upon the authority of the designee.

G. Ratification of Prior Actions

- (1) Ratification of an unauthorized act may be accomplished only by the official who had the authority to authorize and perform the act in the first instance, and if he still has the power to do so at the time of ratification.
- (a) One who has the authority to perform an act himself but lacks the authority to delegate the performance to others cannot ratify such acts when done by another in his name.

H. Actions by Deputies

- (1) A Deputy is the formally designated alternate principal.
- (2) When the principal is available for duty a Deputy may exercise the authorities vested in the position of the principal subject to such limitations as the principal may stipulate.
- (a) In the performance of these functions, the Deputy shall signify his authority by use of the title "Deputy".
- (3) When the principal is not reasonably available for the action required, a Deputy may exercise all authorities vested in the position of the principal without limitation.
- (a) Normally, only temporary duty away from Washington, out-of-town leave for a considerable period of time, or severe illness of the principal will permit action by the Deputy as Acting Chief.
- (b) At such time as the Deputy acts in lieu of the Chief in the exercise of authorities normally requiring the action of the Chief, the Deputy shall sign in full identifiable signature as "Acting Chief".
- (c) The use of the title "Acting Chief" shall constitute his certification that the Chief is not reasonably available for the action required.
- (4) Authorities delegated to the principal to be exercised by him so long as he shall hold a particular position, or delegated to him by name may never be exercised by the Deputy either in his capacity as Deputy or while he is "Acting Chief" unless specific formal authorization is granted by the proper authorizing official.

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- (5) When the principal is not reasonably available for duty and there is no appointed Deputy, the authorities vested in the position of the principal cannot be exercised until an "Acting Chief" has been properly designated.

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